

**FROMMER LAWRENCE & HAUG LLP**

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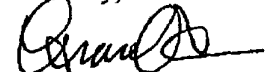
To: Examiner Regina M. DeBerry (Art Unit 1647)  
Firm: United States Patent and Trademark Office  
Facsimile: (703) 305-7230  
From: Grace L. Pan  
Date: February 9, 2004  
Re: Applicant : Douglas T. DIETERICH  
Serial No. : 09/862,404  
Filed : May 21, 2001  
Title : Method of Treating Anemia caused by Ribavirin  
Treatment of Hepatitis C using Erythropoietin Alpha  
FLH Ref. No.: 144002-2001  
Number of Pages: 22  
(including cover page)

If you do not receive all pages or are unable to read the transmission, please call.

Dear Examiner DeBerry:

Further to our telephonic interview, attached is a fax copy of the Amendment After Final with a Petition for an Extension of Time and a Request for an Interview ("Amendment"). The original Amendment with check no. 030426 in the amount of US\$ 55.00 to cover the one-month extension fee are being sent to you via Express Mail # EV286858054US today.

Sincerely,



Grace L. Pan

Registration No. 39,440

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Serial No. 091862,404 File No. 144002-2001 By QLP  
 Title in the Matter of the Application of Method of Treating Anemia et al.  
 Applicant(s)/Inventor(s) Douglas T. Dieterich  
 The following due \_\_\_\_\_ in the U.S. Patent Office, was received in the Patent Office

<input type="checkbox"/> Affidavit	<input type="checkbox"/> Declaration	<input type="checkbox"/> Express Mail Mailing Label # <u>EV286858054US</u>
<input checked="" type="checkbox"/> Amendment (Facsimile)	<input type="checkbox"/> (separate sheet)	<input checked="" type="checkbox"/> Check No. <u>030426</u> for \$ <u>55.00</u>
<input type="checkbox"/> Preliminary Amendment	<input checked="" type="checkbox"/> Deposit Account Order Form	<input type="checkbox"/> Drawing _____ Sheet(s)
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<input type="checkbox"/> Application for Patent, including _____ Pages Specification _____ Claims _____ Abstract	<input type="checkbox"/> Status Request <input type="checkbox"/> Notice of Appeal (triplicate)	<input type="checkbox"/> Petition <input type="checkbox"/> Response
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IF NOT CORRECT, PLEASE NOTIFY US PROMPTLY. NO RECEIPT DESIRED.

FROMMER LAWRENCE &amp; HAUG LLP

APPLICANT: DIETERICH

SERIAL NO. 291-262404

FILE &amp; H DOCKET NO. 144002-2001

TITLE: METHOD OF TREATING ANEMIA CLASS. BY GILBERT H. DIETERICH

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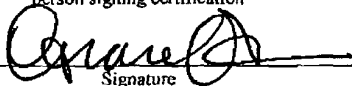
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Applicant : Douglas T. DIETERICH  
Serial No. : 09/862,404  
Filed : May 21, 2001  
Title : **METHOD OF TREATING ANEMIA CAUSED BY  
RIBAVIRIN TREATMENT OF HEPATITIS C USING  
ERYTHROPOIETIN ALPHA**  
Examiner : Regina M. DeBerry  
Art Unit : 1647  
Confirmation No. : 8918

745 Fifth Avenue  
New York, New York 10151  
**EXPEDITED PROCEDURE**  
**RESPONSE FILED UNDER 37 C.F.R. §1.116****FACSIMILE**

I hereby certify that this paper is being facsimile transmitted to the  
Patent and Trademark Office on the date shown below.

Grace L. Pan, Registration No. 39,440

Type or print name of  
person signing certification  
Signature

February 9, 2004

Date of Signature

**AMENDMENT AFTER FINAL WITH A PETITION  
FOR AN EXTENSION OF TIME AND A REQUEST FOR AN INTERVIEW**Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a response to the Final Office Action mailed on October 7, 2003 setting a  
three-month term for reply. The Applicant respectfully requests a one-month extension of time